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APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
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08/794,516 02/03/97 SCHULZ-HARDER

J A-5720

EXAMINER

IM71/1001

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DIXON, M	PAPER NUMBER
ART UNIT	

1774

DATE MAILED: 10/01/98

This is a communication from the examiner in charge of your application.
COMMISSIONER OF PATENTS AND TRADEMARKS

OFFICE ACTION SUMMARY

- ☒ Responsive to communication(s) filed on Amend B, filed 7/9/98
- ☐ This action is **FINAL**.
- ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 D.C. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

- ☒ Claim(s) 18-23 is/are pending in the application.
- Of the above, claim(s) _____ is/are withdrawn from consideration.
- ☐ Claim(s) _____ is/are allowed.
- ☒ Claim(s) 18-23 is/are rejected.
- ☐ Claim(s) _____ is/are objected to.
- ☐ Claim(s) _____ are subject to restriction or election requirement.

Application Papers

- ☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- ☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- ☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been
- ☐ received.
- ☐ received in Application No. (Series Code/Serial Number) _____
- ☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

- ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- ☒ Notice of Reference Cited, PTO-892
- ☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____
- ☐ Interview Summary, PTO-413
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Notice of Informal Patent Application, PTO-152

MERRICK DIXON
PRIMARY EXAMINER
GROUP 1300

--SEE OFFICE ACTION ON THE FOLLOWING PAGES--

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The Group and/or Art Unit location of your application in the PTO has changed. To aid in correlating any papers for this application, all further correspondence regarding this application should be directed to Group Art Unit 1774.

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The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

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The examiner acknowledges applicants' election of claims 18-23 without traverse in paper no. 9. Claims 1-17 and 24-35 are canceled.

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Claims 18-23 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 18, line 4, the phrase, "to at least one side of said at least one layer" is not understood.

Applicants are requested to provide better claim language.

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In claim 18, line 5, the phrase, "said auxiliary intermediate layer" lacks proper antecedent basis.

In claim 18, line 11, an improper Markush group is recited.

In claim 18, line 14, the phrase, "from about" is vague and indefinite.

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The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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Claims 18-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Arledge et al(5382471) or Arledge et al(5217589) and Pack et al(5418002) alone.

Each of the cited reference teaches the claimed process including applying an aluminum oxide intermediate layer on an aluminum nitrate substrate- see entire references. It is submitted that said applied layer would be of a desired thickness, including thickness as claimed in the absence of unexpected results. Concerning claims 19,21, it would have been obvious to the skilled artisan to provide desired thickness on the substrate material during routine experimentation. Concerning claims 20,22 and 23, the cited references teaches "treating" the ceramic material in an oxygen-

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containing atmosphere and the references also teaches attaching additional layers on the substrate
- see references.

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The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Davis (5460704), Davis(5695877),Klinedinst et al (5049408),Sarin(4950558), Neidig et al(4505418) and Fujishima et al(5126921)

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Crystal Mall 1 Fax Center

A facsimile center has been established in Crystal Plaza 3. The hours of operations are Mondays through Friday, 8:45 to 4:45 PM. This new location should be used in all instances when faxing any correspondence to Group 1300. The Patent Examining Fax Center new telecopier numbers are (703) 305-3599 for all After Finals and 703-305-5408 for all others. Use of the new Crystal Plaza 3 center will facilitate rapid delivery of materials to the group. The faxing of all papers must conform with the notice published in the Official Gazette, 1096 O.G. 30 (November 15, 1989).

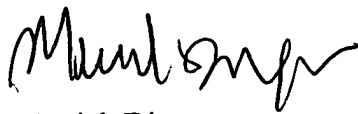
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Any questions concerning this communication should be directed to Examiner Merrick Dixon at
703-308-0013.

A handwritten signature in black ink, appearing to read 'Merrick Dixon', with a stylized, cursive script.

Merrick Dixon

Primary Examiner

Group 1300